

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re

BESTWALL LLC,¹

Debtor.

Chapter 11

Case No. 17-31795

**STATEMENT OF ISSUES ON APPEAL OF CONTEMPT ORDER
AND DESIGNATION OF THE RECORD**

NOW COME the Individuals listed in Exhibit A (the “Appellants”), by and through the undersigned counsel, and hereby provide, pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rule 8006-1 of the Rules of Practice and Procedure of the United States Bankruptcy Court for the Western District of North Carolina (the “Bankruptcy Court”), their (i) statement of issues to be presented on appeal and (ii) designation of the items to be included in the record on appeal, in connection with the appeal to the United States District Court for the Western District of North Carolina (the “District Court”) from the Bankruptcy Court’s *Order Granting Debtor’s Supplemental Motion to Enforce PIQ² Order with Respect to Non-Compliant Claimants* [ECF No. 2401] (the “Contempt Order”) entered on February 10, 2022.

¹The last four digits of the Debtor’s taxpayer identification number are 5815. The Debtor’s address is 133 Peachtree Street, N.E., Atlanta, Georgia 30303.

² The term “PIQ” is used interchangeably with “Questionnaire” in this filing, and both terms refer to the personal injury questionnaires referenced in the Debtor’s *Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimant* [ECF No. 1236].

I. Statement of Issues on Appeal of Contempt Order

1. Whether the Bankruptcy Court erred in concluding that Bestwall, LLC (the “Debtor”) had established by clear and convincing evidence that each of the Appellants were in contempt of the *Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses* (the “PIQ Order”) [ECF No. 1670] and the *Order Granting in Part and Denying in Part Debtor’s Motion to Enforce PIQ Order With Respect to Non-Compliant Claimants* (the “Enforcement Order”) [ECF No. 2154].

2. Whether the Bankruptcy Court erred in concluding that the PIQ Order and the Enforcement Order were valid decrees of which each of the Appellants had actual or constructive knowledge.

3. Whether the Bankruptcy Court erred in determining there was sufficient evidence to conclude that each of the Appellants had failed to comply with the PIQ Order and Enforcement Order, and that each of the Appellants had actual or constructive knowledge of their alleged failure to do so.

4. Whether the Bankruptcy Court erred in concluding that the Debtor is and continues to be harmed as a result of the Appellants’ alleged failure to comply with the PIQ Order and the Enforcement Order.

5. Whether the Bankruptcy Court erred in issuing the PIQ Order pursuant to Bankruptcy Rule 2004 without requiring the issuance and service of subpoenas under Federal Rule of Civil Procedure 45.

6. Whether the Bankruptcy Court erred in concluding that each of the Appellants were properly served with the *Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants* [ECF No. 1236].

7. Whether the Bankruptcy Court erred in finding that each of the Appellants had been properly served with the PIQ Order.

8. Whether the Bankruptcy Court erred in concluding that each of the Appellants had been properly served with the Debtor's *Motion to Enforce PIQ Order With Respect to Non-Compliant Claimants* [ECF No. 2212].

9. Whether the Bankruptcy Court erred in concluding that each of the Appellants were properly served with the Enforcement Order.

II. Designation of Record for Appeals

The Appellants designate the following items to be included in the record on appeal, together with all exhibits, attachments, and documents incorporated by reference therein:

	Docket No.	Docket Entry Date	Docket Description
1.	1	11/2/2017	Voluntary Petition Under Chapter 11
2.	2	11/2/2017	Declaration of Tyler L. Woolson in Support of First Day Pleadings
3.	10	11/2/2017	Motion/Motion of the Debtor for an Order: (I) Authorizing It to File a List of the Top Law Firms with Asbestos Cases Against the Debtor in Lieu of the List of 20 Largest Unsecured Creditors; (II) Approving Certain Notice Procedures for Asbestos Claimants; and (III) Approving the Form and Manner of Notice of Commencement of This Case

	Docket No.	Docket Entry Date	Docket Description
4.	12	11/2/2017	Informational Brief of Bestwall LLC
5.	17	11/2/2017	Motion of the Debtor for Entry of an Order Establishing Certain Notice, Case Management and Administrative Procedures
6.	58	11/06/2017	List of Creditors
7.	65	11/8/2017	Order Establishing Certain Notice, Case Management and Administrative Procedures
8.	67	11/8/2017	Order (I) Authorizing the Debtor to File a List of the Top Law Firms with Asbestos Cases Against the Debtor in Lieu of the List of 20 Largest Unsecured Creditors; (II) Approving Certain Notice Procedures For Asbestos Claimants; and (III) Approving the Form and Manner of Notice of Commencement of This Case
9.	78	11/13/2017	Chapter 11 Operating Order
10.	155	12/18/2017	Statement of Financial Affairs – Non-Individual
11.	156	12/18/2017	Schedule H, Schedule G, Schedule E/F, Schedule D, Schedule A/B
12.	1236	7/30/2020	Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
13.	1246	7/31/2020	Debtor's Notice of Technical Issues with Certain Exhibits to Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
14.	1270	8/12/2020	Joint Motion to Continue/Reschedule Hearing on Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
15.	1326	9/4/2020	Objection of the Official Committee of Asbestos Claimants to Debtor's Motion for Order Pursuant to Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
16.	1329	9/4/2020	Buck Law Firm's Clients' Joinder to Objection Filed by the Official Committee of Asbestos Claimants to Debtor's Motion for Order Pursuant to Rule 2004 Directing Submission of

	Docket No.	Docket Entry Date	Docket Description
			Personal Injury Questionnaires by Pending Mesothelioma Claimants
17.	1331	9/4/2020	Objection of the Future Claimants' Representative to Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
18.	1333	9/4/2020	Joinder to Objection filed by the Official Committee of Asbestos Claimants to Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
19.	1337	9/4/2020	Debtor's Objection to the Joint Motion of the Future Claimants' Representative and the Official Committee of Asbestos Claimants to Continue Hearing on (1) Debtor's Motion for an Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and (2) Debtor's Motion for Bankruptcy Rule 2004 Examination of Asbestos Trusts
20.	1352	9/14/2020	Reply in Support of Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
21.	1435	10/26/2020	Transcript for Hearing/Trial Held on 10/22/2020
22.	1507	12/11/2020	Buck Law Firm's Clients' Supplemental Objection to Debtor's Motion for an Order Pursuant to Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
23.	1509	12/11/2020	Supplement to the Objection of the Future Claimants' Representative to Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
24.	1511	12/11/2020	Supplemental Brief and Objection of the Official Committee of Asbestos Claimants to (I) Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and (II) Debtor's Motion for Bankruptcy Rule 2004 Examination of Asbestos Trusts

	Docket No.	Docket Entry Date	Docket Description
25.	1544	12/21/2020	Transcript for Hearing/Trial held on 12/17/2020
26.	1557	12/28/2020	Statement of Interest on Behalf of the United States of America Regarding Estimation of Asbestos Claims
27.	1565	1/8/2021	Debtor's Omnibus Supplemental Reply in Support of (I) Debtor's Motion for Bankruptcy Rule 2004 Examination of Asbestos Trusts and (II) Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants
28.	1581	1/20/2021	The Official Committee of Asbestos Claimants Response to United States Statement of Interest
29.	1615	1/29/2021	Debtor's Supplemental Brief on Discovery (DE 1236-1236) and Limiting Motions (DE 1449-1452)
30.	1618	2/1/2021	Transcript for Hearing/Trial held on 1/21/2021
31.	1619	2/1/2021	Transcript for Hearing/Trial held on 1/22/2021
32.	1647	3/5/2021	Transcript for Hearing/Trial held on 3/4/2021
33.	1670	3/23/2021	Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
34.	1706	4/6/2021	Committee's Notice of Appeal to District Court
35.	1707	4/6/2021	Committee's Motion for Leave to Appeal the PIQ Order
36.	1708	4/6/2021	Committee's Memorandum of Law in Support of Motion for Leave to Appeal the PIQ Order
37.	1709	4/6/2021	Affected Individuals' Notice of Appeal to District Court
38.	1710	4/6/2021	Affected Individuals' Joinder to Motion of the Official Committee of Asbestos Claimants of Bestwall LLC for Leave to Appeal the PIQ Order
39.	1734	4/20/2021	Future Claimants' Representative's Notice of Appeal to District Court

	Docket No.	Docket Entry Date	Docket Description
40.	1736	4/20/2021	Joinder of the Future Claimants' Representative to the Motion of the Official Committee of Asbestos Claimants for Leave to Appeal the PIQ Order
41.	1737	4/20/2021	Committee's Statement of Issues on Appeal and Designation of Record
42.	1742	4/20/2021	Committee's Statement of Issues on Appeal and Additional Designation of Record
43.	1783	5/4/2021	Future Claimants' Representative's Statement of Issues on Appeal and Designation of Record
44.	1784	5/4/2021	Appellee's Notice of Filing Exhibits for Record on Appeal
45.	1785	5/4/2021	Appellee Designation of Additional Record
46.	1820	5/10/2021	Order from District Court Judge Robert J. Conrad, Jr. Denying Motion of the Official Committee of Asbestos Claimants of Bestwall LLC for Leave to Appeal the PIQ Order; and Clerk's Judgment
47.	1833	6/23/2021	Debtor's Emergency Motion to Enforce PIQ Order and Automatic Stay
48.	1845	6/29/2021	Objection to Debtor's Emergency Motion to Enforce PIQ Order and Automatic Stay
49.	1852	7/2/2021	Transcript for Hearing/Trial held on 6/30/2021
50.	1856	7/9/2021	Order Granting Debtor's Emergency Motion to Enforce PIQ Order and Automatic Stay
51.	1875	7/19/2021	Debtor's Reply in Support of Emergency Motion to Enforce PIQ Order and Automatic Stay, and in Support of Contempt Sanction
52.	1876	7/21/2021	Sur-Reply to Debtor's Reply in Support of Emergency Motion to Enforce PIQ Order and Automatic Stay
53.	1890	7/23/2021	Transcript for Hearing/Trial held on 7/22/2021

	Docket No.	Docket Entry Date	Docket Description
54.	1902	7/27/2021	Transcript for Hearing/Trial held on 7/22/2021
55.	1935	8/2/2021	Notice of Objection to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
56.	1936	8/2/2021	Notice of Objection to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
57.	1937	8/2/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
58.	1938	8/2/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
59.	1939	8/2/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
60.	1940	8/2/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
61.	1941	8/2/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
62.	1942	8/2/2021	Notice of Objection to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses

	Docket No.	Docket Entry Date	Docket Description
63.	1943	8/2/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
64.	1947	8/4/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
65.	1948	8/4/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
66.	1949	8/4/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
67.	1950	8/4/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
68.	1951	8/4/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
69.	1952	8/4/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
70.	1953	8/4/2021	Notice of Objection of Respondents to Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants and Governing the Confidentiality of Responses
71.	1983	8/16/2021	Notice of Filing Exhibits relating to Debtor's Emergency Motion to Enforce PIQ Order and Automatic Stay and Order Granting Debtor's Emergency Motion to Enforce PIQ Order and Automatic Stay

	Docket No.	Docket Entry Date	Docket Description
72.	1996	8/18/2021	Order On Debtor's Emergency Motion to Enforce PIQ Order and Automatic Stay and Order to Show Cause
73.	2004	8/19/2021	Exhibit Record for 8/19/2021 Hearing
74.	2022	8/23/2021	Ex Parte Motion to Extend Time to File Notice of Appeal of Contempt Order
75.	2025	8/25/2021	Transcript for Hearing/Trial held on 8/19/2021
76.	2033	8/27/2021	Ex Parte Order Granting Motion to Extend Time to File Notice of Appeal of Contempt Order
77.	2065	09/08/21	Motion/Motion to Enforce PIQ Order with Respect to Non-Compliant Claimants
78.	2067	9/9/2021	Transcript for Hearing/Trial held on 8/31/2021
79.	2083	9/22/2021	Opposition Response to Motion to Enforce PIQ Order With Respect to Non-Complaint Claimants Hearing scheduled for 09/29/2021 at 11:00 AM at 3-LTB-Charlotte Courthouse09/29/2021 (RE: related document(s)2065 Motion (Other) filed by Debtor Bestwall LLC)
80.	2090	9/22/2021	Response The Official Committee of Asbestos Claimant's Limited Objection to Debtor's Motion to Enforce PIQ Order with Respect to Non-Compliant Claimants Hearing scheduled for 09/29/2021 at 11:00 AM at 3-LTB-Charlotte Courthouse09/29/2021 (RE: related document(s)2065 Motion (Other)
81.	2092	09/23/21	Opposition Response and Request for Hearing (RE: related document(s)2089 Motion to Extend filed by Debtor Bestwall LLC)
82.	2093	09/23/2021	Notice of Docketing Record on Appeal to District Court. Case Number: 2100503 (RE: related document(s)2079 Notice of Appeal filed by Attorney Thomas W. Waldrep)
83.	2095	09/23/21	Order With Respect to August 19, 2021 Contempt Compliance Hearing. (RE: related document(s)1996 Order (other))
84.	2102	9/24/2021	Notice of Appeal of Sanctions Order
85.	2105	9/24/2021	Response /Reply in Support of Motion to Enforce PIQ Order with Respect Non-Compliant Claimants Hearing scheduled for 09/29/2021 at 11:00 AM at 3-LTB-Charlotte

	Docket No.	Docket Entry Date	Docket Description
			Courthouse09/29/2021 (RE: related document(s)2065 Motion (Other)
86.	2106	9/24/2021	Notice of Agenda of Matters Scheduled for Hearing on September 29, 2021
87.	2116	09/28/2021	Amendment to /Notice of Amended Agenda of Matters Scheduled for Hearing on September 29, 2021 (RE: related document(s)2106 Other Document filed by Debtor Bestwall LLC)
88.	2118	9/28/2021	Supplement to Objection to Motion to Enforce PIQ Order with Respect to Non-Compliant Claimants (RE: related document(s)2083 Response filed by Interested Party Potential Asbestos Claimants Actually Represented by Law Firms on Exhibit A)
89.	2122	09/30/2021	Transcript for Hearing/Trial held on 9/29/2021
90.	2154	10/14/21	Order Granting in part, Denying in part Debtor's Motion to Enforce PIQ Order with Respect to Non-Compliant Claimants (Related Doc # 2065)
91.	2212	11/10/2021	Motion/Supplemental Motion to Enforce PIQ Order with Respect to Non-Compliant Claimants (Re: Doc. 2154)
92.	2218	11/15/2021	Response to Supplemental Motion to Enforce PIQ Order with Respect to Non-compliant Claimants Hearing scheduled for 11/18/2021 at 9:30 AM at 3-LTB-Charlotte Courthouse (RE: related document(s)2212 Motion (Other) filed by Debtor Bestwall LLC)
93.	2221	11/15/2021	Response to Supplemental Motion Hearing scheduled for 11/18/2021 at 9:30 AM at 3-LTB-Charlotte Courthouse (RE: related document(s)2212 Motion (Other)
94.	2222	11/15/2021	Joint Objection to Other Document (RE: related document(s)2212 Motion (Other) filed by Debtor Bestwall LLC)
95.	2223	11/15/2021	Notice of Agenda of Matters Scheduled for Hearing on November 18, 2021
96.	2227	11/17/2021	Response Reply in Support of Supplemental Motion to Enforce PIQ Order with Respect to Non-Compliant Claimants Hearing scheduled for 11/18/2021 at 9:30 AM at 3-LTB-Charlotte Courthouse (RE: related document(s)2212 Motion (Other)
97.	2234	11/19/2021	Transcript for hearing/trial held on 11/18/2021
98.	2295	12/14/2021	Notice of Agenda of Matters Scheduled for Hearing on December 17, 2021
99.	2307	12/16/2021	Notice of Cancellation of Hearing Previously Scheduled for December 17, 2021 at 9:30 a.m. (Eastern Time)

	Docket No.	Docket Entry Date	Docket Description
100.	2339	01/14/2022	Notice of Agenda of Matters Scheduled for Hearing on January 20, 2022
101.	2348	01/19/2022	Amendment to /Notice of Amended Agenda of Matters Scheduled for Hearing on January 20, 2022 (RE: related document(s)2339 Other Document)
102.	2354	01/20/2022	Exhibit List from hearing held on 01/20/22
103.	2356	01/20/2022	Transcript for hearing/trial held on 01/20/22
104.	2401	02/10/2022	Order Granting Debtor's Supplemental Motion to Enforce PIQ Order with Respect to Non-Compliant Claimants (Related Doc # [2212]) Compliance hearing scheduled for 02/24/2022 at 9:30 am in Charlotte, NC
105.	2416	02/18/2022	Motion to Extend Time to Appeal
106.	2422	02/22/2022	Notice of Agenda of Matters Scheduled for Hearing on February 24, 2022
107.	2426	02/24/2022	Exhibit List from Hearing Held on 2/24/22
108.	2424	02/24/2022	Ex Parte Order Granting Motion To Extend Time to File Notice of Appeal by March 17, 2022 (Related Doc # [2416])
109.	2425	02/24/22	Transcript for hearing/trial held on 02/24/22
110.	2446	03/03/2022	Clerk Acknowledgement of Disposal of Exhibits and Exhibit List from Hearing Held on 02/24/2022
111.	2452	03/09/2022	Motion to Continue/Reschedule Hearing (RE: related document(s)[2401] Order on Motion (Other))
112.	2457	03/15/2022	Order Granting Motion to Continue Hearing on March 17, 2022 to April 6, 2022 (Related Doc # [2452])
113.	2459	03/17/2022	Notice of Appeal of Contempt Order (RE: related document(s)[2401] Order on Motion (Other))
114.	2475	03/25/2022	Motion/Debtor's Motion for Procedures Governing Introduction of Non-Compliant Claimants' Questionnaire Responses at April 6 Hearing
115.	2476	03/25/2022	Motion to Shorten Notice (RE: related document(s)[2475] Motion (Other))
116.	2483	03/28/2022	Affidavit of Service (RE: related document(s)[2475] Motion (Other) filed by Debtor Bestwall LLC, [2476] Motion to Shorten Notice filed by Debtor Bestwall LLC)
117.	2484	03/29/2022	Ex Parte Order Granting Motion to Shorten Notice (Related Doc # [2476])

	Docket No.	Docket Entry Date	Docket Description
118.	2485	03/29/2022	Notice of Hearing (RE: related document(s)[2475] Motion (Other) filed by Debtor Bestwall LLC) Hearing scheduled for 4/6/2022 at 02:00 PM at 3-LTB Courtroom 2A.

Respectfully submitted this the 31st day of March 2022.

**WALDREP WALL BABCOCK
& BAILEY PLLC**

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep Jr. (NC State Bar No. 11135)

James C. Lanik (NC State Bar No. 30454)

Jennifer B. Lyday (NC State Bar No. 39871)

Diana Santos Johnson (NC State Bar No. 40050)

John R. Van Swearingen (NC State Bar No. 53646)

Natalia L. Talbot (NC State Bar No. 55328)

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Counsel for the Appellants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **STATEMENT OF ISSUES ON APPEAL OF CONTEMPT ORDER AND DESIGNATION OF THE RECORD** was filed in accordance with the local rules and served upon all parties registered for electronic service and entitled to receive notice thereof through the CM/ECF system.

Respectfully submitted this the 31st day of March 2022.

**WALDREP WALL BABCOCK
& BAILEY PLLC**

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep Jr. (NC State Bar No. 11135)

James C. Lanik (NC State Bar No. 30454)

Jennifer B. Lyday (NC State Bar No. 39871)

Diana Santos Johnson (NC State Bar No. 40050)

John R. Van Swearingen (NC State Bar No. 53646)

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Counsel for the Appellants

VIA CM/ECF

Eric B. Abramson on behalf of Claimants of Michael B. Serling, P.C. Listed On Appendix A to the Complaint

Darren Azman on behalf of Honeywell International Inc.

Jason Kyle Beale on behalf of Claimants of Bailey Peavy Bailey Cowen Heckaman PLLC Listed On Appendix A To The Complaint

Gill Beck on behalf of the United States of America

Thomas W. Bevan on behalf of Claimants of Bevan and Associates LPA, Inc. Listed On Appendix A To The Complaint

Jennifer Black on behalf of Claimants of Nemeroff Law Firm, PC Listed On Appendix A To The Complaint

Demi Lorant Bostian on behalf of the Debtor

Charles W. Branham, III on behalf of Dean Omar & Branham, LLP

Robert C. Buck on behalf of Claimants of Buck Law Firm Listed On Appendix A To The Complaint

James David Butler on behalf of Claimants of Certain Law Firms Listed On Appendix A to the Complaint

Katharine C. Byrne on behalf of Cooney & Conway

Garland S. Cassada on behalf of the Debtor

John D. Cooney on behalf of Cooney & Conway and Claimants of Cooney and Conway Listed On Appendix A To The Complaint

Robert A. Cox, Jr. on behalf of The Official Committee of Asbestos Claimants of Bestwall, LLC

Kevin R. Crandall on behalf of the Debtor

Heather W. Culp on behalf of Claimants of Bailey Peavy Bailey Cowen Heckaman PLLC Listed On Appendix A To The Complaint; Claimants of Bevan and Associates LPA, Inc. Listed On Appendix A To The Complaint; Claimants of Brayton Purcell, LLP Listed On The Appendix A To The Complaint; Claimants of Buck Law Firm Listed On Appendix A To The Complaint; Claimants of Certain Law Firms Listed On Appendix A to the Complaint; Claimants of Cohen Placitella & Roth P.C. Listed On Appendix A To The Complaint; Claimants of Cooney and Conway Listed On Appendix A To The Complaint; Claimants of Flint Law Firm, LLC Listed On Appendix A To The Complaint; Claimants of Gori Julian & Associates, P.C. Listed On Appendix A To The Complaint; Claimants of Kazan, McClain, Satterley & Greenwood Listed On Appendix A To The Complaint; Claimants of Kazan, McClain, Satterley & Greenwood Listed On Appendix A To The Complaint; Claimants of Keller Fishback & Jackson, LLP Listed On Appendix A To The Complaint; Claimants of Kelley & Ferraro LLP Listed On Appendix A to the Complaint; Claimants of Law Offices of Peter G. Angelos, P.C. Listed On Appendix A To The Complaint; Claimants of Levy Konigsberg, LLP Listed On Appendix A To The Complaint; Claimants of Maune, Raichle, Hartley, French & Mudd, LLC Listed On The Appendix A To The Complaint; Claimants of Michael B. Serling, P.C. Listed On Appendix A to the Complaint; Claimants of Nass Cancelliere Listed On Appendix A To The Complaint; Claimants of Nemeroff Law Firm, PC Listed On Appendix A To The Complaint; Claimants of O'Brien Law Firm, P.C. Listed On Appendix A To The Complaint; Claimants of Rebecca S. Vinocur, P.A. Listed On Appendix A To The Complaint; Claimants of SWMW Law, LLC Listed On Appendix A To The Complaint; Claimants of Savinis Kane & Galluci, LLC and Prim Law Firm, PLLC Listed On Appendix A To The Complaint; Claimants of Shepard Law, P.C. Listed On Appendix A To The Complaint; Claimants of The Deaton Law Firm Listed On Appendix A To The Complaint; Claimants of The

Ferraro Law Firm, P.A. Listed On Appendix A To The Complaint; Claimants of The Lanier Law Firm, PC Listed On Appendix A To The Complaint; Claimants of Thornton Law Firm, LLP Listed On Appendix A To The Complaint; Claimants of Waters & Kraus, LLP Listed On Appendix A To The Complaint; Claimants of Weitz & Luxenberg, P.C. Listed On Appendix A To The Complaint; and Claimants of Wilentz, Goldman & Spitzer, P.A. Listed On Appendix A To The Complaint

Kenneth Brian Dantinne on behalf of The Official Committee of Asbestos Claimants of Bestwall, LLC

Timothy A. Davidson, II on behalf of Liquidity Solutions, Inc.

Harry Lee Davis, Jr. on behalf of Honeywell International Inc.

John R. Deaton on behalf of Claimants of The Deaton Law Firm Listed On Appendix A To The Complaint

Jeffrey Brian Ellman on behalf of the Debtor

Brad B. Erens on behalf of the Debtor

B. Chad Ewing on behalf of Manville Personal Injury Settlement Trust and Delaware Claims Processing Facility

James L. Ferraro, Sr. on behalf of Claimants of The Ferraro Law Firm, P.A. Listed On Appendix A To The Complaint

Kenneth J. Fryncko on behalf of Claimants of Savinis Kane & Galluci, LLC and Prim Law Firm, PLLC Listed On Appendix A To The Complaint

Mark P. Goodman on behalf of Georgia-Pacific LLC

Gregory M. Gordon on behalf of the Debtor

Beth Gori on behalf of Claimants of Gori Julian & Associates, P.C. Listed On Appendix A To The Complaint

William Marc Graham on behalf of Dean Omar & Branham, LLP

Timothy M. Haggerty on behalf of Manville Personal Injury Settlement Trust and Delaware Claims Processing Facility

Barbara Harding on behalf of the Debtor

Raymond Paul Harris, Jr. on behalf of the Debtor

Edwin J. Harron on behalf of Sander Esserman

David A. Jagolinzer on behalf of Claimants of The Ferraro Law Firm, P.A. Listed On Appendix A To The Complaint

Steven Kazan on behalf of Claimants of Kazan, McClain, Satterley & Greenwood Listed On Appendix A To The Complaint

Daniel Keller on behalf of Claimants of Keller Fishback & Jackson, LLP Listed On Appendix A To The Complaint

Peter D. Kieselbach on behalf of U.S. Bank National Association, as Trustee

Maura Kolb on behalf of Claimants of The Lanier Law Firm, PC Listed On Appendix A To The Complaint

Jonathan C. Krisko on behalf of the Debtor

William L. Kuzmin on behalf of Claimants of Cohen Placitella & Roth P.C. Listed On Appendix A To The Complaint

M. Natasha Labovitz on behalf of Georgia-Pacific LLC

Andrea Landry on behalf of Claimants of Thornton Law Firm, LLP Listed On Appendix A To The Complaint

Bryn Gallagher Letsch on behalf of Clients of Brayton Purcell LLP

Jeff A. McCurdy on behalf of Foster & Sear

Chris McKean on behalf of Claimants of Maune, Raichle, Hartley, French & Mudd, LLC Listed On The Appendix A To The Complaint

John R. Miller, Jr. on behalf of Georgia-Pacific LLC

Edward M. Nass on behalf of Claimants of Nass Cancelliere Listed On Appendix A To The Complaint

Diedre Woulfe Pacheco on behalf of Claimants of Wilentz, Goldman & Spitzer, P.A. Listed On Appendix A To The Complaint

Michael s. Palmieri on behalf of Manville Personal Injury Settlement Trust and Delaware Claims Processing Facility

Felton Parrish on behalf of Young Conaway Stargatt & Taylor, LLP; Sander Esserman; and Ankura Consulting Group, LLC

James L. Patton, Jr. on behalf of Sander Esserman

Stuart L. Pratt on behalf of the Debtor

Jill M. Price on behalf of Claimants of Flint Law Firm, LLC Listed On Appendix A To The Complaint

Natalie D. Ramsey on behalf of Simmons Hanly Conroy LLC and The Official Committee of Asbestos Claimants of Bestwall, LLC

Audrey Raphael on behalf of Claimants of Levy Konigsberg, LLP Listed On Appendix A To The Complaint

Ryan Reimers on behalf of U.S. Bank National Association, as Trustee

Jason C. Rubinstein on behalf of Manville Personal Injury Settlement Trust and Delaware Claims Processing Facility

Amanda Rush on behalf of the Debtor

Cary Ira Schachter on behalf of the Debtor

David M. Schilli on behalf of the Debtor

Richard A. Schneider on behalf of the Debtor

Michael Shepard on behalf of Claimants of Shepard Law, P.C. Listed On Appendix A To The Complaint

Robert Eugene Shuttlesworth on behalf of Shrader

Charles S. Siegel on behalf of Claimants of Waters & Kraus, LLP Listed On Appendix A To The Complaint

Linda Wright Simpson on behalf of The Official Committee of Asbestos Claimants of Bestwall, LLC

Andrew W.J. Tarr on behalf of the Debtor

John F. Theil on behalf of Claimants of SWMW Law, LLC Listed On Appendix A To The Complaint

Erin A. Therrian on behalf of the Debtor

Glenn C. Thompson on behalf of The Official Committee of Asbestos Claimants of Bestwall, LLC

Christopher J. Thoron on behalf of Claimants of O'Brien Law Firm, P.C. Listed On Appendix A To The Complaint

Matthew L. Tomsic on behalf of Georgia-Pacific LLC

Constantine Venizelos on behalf of Claimants of Kelley & Ferraro LLP Listed On Appendix A to the Complaint

Rebecca S. Vinocur on behalf of Claimants of Rebecca S. Vinocur, P.A. Listed On Appendix A To The Complaint

Armand J. Volta, Jr. on behalf of Claimants of Law Offices of Peter G. Angelos, P.C. Listed On Appendix A To The Complaint

Jason L. Walters on behalf of Honeywell International Inc.

Perry Weitz on behalf of Claimants of Weitz & Luxenberg, P.C. Listed On Appendix A To The Complaint

Richard C. Worf on behalf of the Debtor

Davis Lee Wright on behalf of The Official Committee of Asbestos Claimants of Bestwall, LLC

Travis G. Buchanan on behalf of Sander Esserman

EXHIBIT A

List of Appellants

Alida Dunn
Reed Gurr
Richard Medina
Scott Miller
Epifanio Ortiz
Katherine Aston
John Baginski
Robert Chester
Kelvin Corbin
Richard Forster
Joseph Fosagen
James Foster
William Furbeck
Robert Godfrey
Steven Hall
Erik Hansen
Dennis Hawkins
Richard Henn
Jerry Hofstetter
Frank Jakubowski
Ewald Kesenheimer
Norman Kinslow
Freddy Lalama
Gregory Larson
Lawrence Lemcke
Marco Leone
James Moynihan
Anna Nocelli
Clifford Norling
Robert Northrup
Anthony Richichi
Martinez Royster
Gilda Ruffo
Albert Schwartz
James Seman
Thomas Spiewak
James Wilson
Judith Anderson
Joe Bartos
Gilbert Blue
James Daniel
Phyllis Gross
Charles Kesler
Owen Kragenbring

Christopher Lute
Charles Penrod
Armando Quintero
Thomas Quirk
Ateo Riccardelli
Charles Ross
James Sizemore
William Spray
John Staesnick
Robert Stutzman
Tracy Thompson
Philip Unick
Ira Wainscott
Carolyn Zaccone
Forrest Arnold
Loretta Belac
Marilyn Biagetti
Baniel Browning
Frank Cambio
Ralph Carson
Harold Carter
Arthur Collins
Sharon Compton
Robert Cone
Danny Cornett
Manuel Correia
John Degrazia
Stephan Duda
Charles Dyer
Leon Edwards
Robert Fry
Judith Goodnow
Richard Hammonds
Clarence Harney
Vivianne Hilton
Mitchell Homsy
Wendell Kinney
Viola Koniak
George Kunz
Robert Lapierre
Robert Layfield
Jean Leduc
Charlotte Lennox
Gerald Lentini
Peter Lowe
Gary Milo
Harold Murray
Walter Oson
Merle Paul
Roy Picker
Vernon Rice

Bernard Roy
Allen Seidman
Josepha Souza
Robert Trombley
Gerard Turcotte
Richardwright
Theodore Alderman, Jr.
Samuel Allardyce
Fred Bacon
James Clark
Thomas Cummings
Joe Divin
Phyllis Flowers
George Guffey
David Hall
Martha Hruzek
Charles Jenkins, Sr.
Frederick (aka: Fredrick) Muchow
Homer Ricks
Roxanne Saul
Vina Saulsman
Robert Saunders, Sr.
Floyd Thiele
Charles Whitehead, Jr.
Nancy Bush
Mary Corder
Brenda Flores
Sidney Jennings
Joseph Puckett
Joe Rodriguez
Ernest Straight
John Ahern
Gayle Annarella
Jerry Arthur
Michael Ashworth
Kenneth Baker
Victoria Bartlett
Harvey Degroot
Arthur Digby
John Dominski
Robert Easter
Jack Elliott
Eugene Frye
Cleo Garvin
Danny Genet
Janith Haber
Dallas Heft
Jose Hermo
Nancy Johnson
Donald Kelley
Terry Kempf

Ann Kuzda
Robert Lyle
Donald Maclachlan
Roger Magold
Eddie Marona
Lowell Marshall
John Musacchio
Robert New
Harold Ort
Harris Perkins
Earle Ffund
Tommy Rouse
William Russell
Myra Scanlon
Ralph Shonkwiler
Gayle Smith
David Way
Jerry Wilson
William Witt
Peter Metcalf
Stephen Salvini
Susan Stewart
Jacqueline Wopperer
Walter Aerni
George Ayers
Jesse Boggess
Cecil Brooks
James Carrozzo
George Chavez
James Cornell
David Courtwright
Gloria Dowell
Donald Dysart
Richard Eck
Laurence Edelman
Shawn Elliottsmith
James Fields
Theodore Harris
Michael Hay
James Hewatt
Harold Hilgemann
Jerry Human
Bonnie Jablonsky
Raymond Jaworski
David Kay
Michael Keafer
Robert Keegan
William Kehl
David Krahn
David Kubich
Harold Kuehnel

Raymond Lindsey
Roderick Linn
Richard Mashburn
Rickey Matthews
William Milazzo
Larry Morgan
Gerald Niles
James Obryant
Beverly Peck
Douglas Reese
Delmar Richert
Mary Roseberry
James Russo
James Sandlin
Francis Siniawski
Larrabee Smith
Walter Smith
Ricke Swaim
Virgil Uhlman
Jeffrey Watts
Earl Webster
Timothy Wilson
Gary Worden
George Brister
Harold Christopher
James Curry
Marion Dunagan
Charles Gilbert
Frank Lozica
Clyda McMillan
Stephen Miller
Marvin Nance
William Ray
Henry Schaedel
Warren Schroeder
John Sonnier
James Stephens
Lola Thomas
Helen Young
William Forsythe
Ronald Garza
Frank Head
John Kinkad
Alan Ottaviano
Roger Shifflett
George Wood
Herman Ahlstrand
Mark Albright
Patricia Aliotta
Silvia Alvarado
Albert Ambacher

Robert Amos
Arthur Anderson
Robert Anderson
MichaelAnthony
Rosa Araiza
Larry Armstrong
Leopoldo Arteaga
Cheryl Arthaud
Norman Ash
David Babbitt
Henry Bajos
Jerry Baker
Mohammad Barhum
Rafael Barrantes-Alarcon
Clifford Barry
BernardBartos
George Battey
William Bellamy
Jason Benfield
Roy Bennet
Armo Bentley
RichardBiegler
Curtis Billiot
Donald Bingenheimer
Kendall Bleam
Steven Bolin
Mark Bonham
Raymond Bowen
Betty Brinston
Charles Broadnax
Donald Brown
Barry Brown
Robert Brown
Leonard Browski
Robert Bucy
Frank Burr
Victor Burtsuhe
Bobby Butler
Ralph Butler
Robert Calais
JohnnieCaldwell
Frank Callender
Graeme Calow
Jerry Camp
John Campbell
Anthony Cannone
J Cantrell
Jose Cantu
Idicheria Chacko
William Chambers
Michael Church

Betty Clark
John Clark
Donald Clesson
Alma Clift
Harold Cockrell
James Collins
Bobby Colwell
William Connard
Lorenzo Contreras
Santiago Cota
William Crane
Willie Crater
Michael Daichendt
Dennis Daly
Ernestine Davie
John Davis
Thomas Deberry
Barbara Decristofaro
George Denison
Robert Denton
Carolyn Devereaux
Joseph Diaz
Randy Dilley
Michael Dillow
Saundra Douglas
Carrie Dunbar
Jerry Dupont
Jose Duron
Geraldine Dziewiatkowski
Robert Edwards
Edward Egolf
Samuel Elizondo
Jerry Elkins
Leonard Etter
Cecil Evans
Alan Fabry
ThomasFisher
Glen Fletcher
Susan Follas
ThomasFord
Carroll Forse
Manuel Fraire
Darwin Francis
Margaret Frank
Ralph Fulwider
Bertrand Gagnon
Arturo Gallego
David Gallups
Arvelio Garcia
Hernando Gayton
Glenn George

Mark Gerdich
John Gholson
James Gifford
Raymond Gilginas
Clarence Glover
Kenneth Gravely
Paula Graves
Cecil Griffes
James Haas
Charles Hahn
Bryen Haines
Bonnie Hall
Maurice Hamm
Keith Hammett
Roger Harder
David Hardy
Tim Hardy
Mark Herndon
Mary Herron
Lola Highsmith
Keith Hightshoe
Bernd Hildebrand
Kenneth Hodges
James Hodgson
Thomas Holtzman
Lawrence Hone
William Horwath
Robert Hubert
Bobby Hunter
Doris Hurst
Tammy Hutchinson
David Iahn
Robert Jacoby
Harold Jefferson
Lenia Jennings
Bruce Johnson
Robert Johnson
Rosemary Jonesbriney
Benjamin Jordan
Rebekah Juarez
Ralph Kaczmarek
Jerry Kaufman
William Kehler
Roger Kelly
Alice Kesler
Jerry Killikevc
Victoria King
W King
Dwaine Kinkade
Shirley Kirkland
RichardKleinhans

HermanKnab
Daniel Konarske
Louis Kotta
Lenny Kovacich
Joseph Kovacs
Dean Kraft
Kenneth Kramer
Noal Kronk
Robert Labouve
VincentLatronica
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Ira Lenard
Obvidio Levis
Billy Lingenfelter
Stanley Lipinsky
George Little
John Little
Kimberly Lobera
Edward Lord
Leonardo Lucero
John Manning
Jerry Marquardt
RichardMartin
Paul Mason
Joanne Matthews
Larry Maxwell
Umphrey Mckinney
Ruth McLachlin
Mary Mcneill
William Mcsorley
Anthony Metzger
Glenn Mills
Omer Mitchell
Henry Moity
John Molitoris
Mirza Monsef
James Moore
Lawrence Moorman
Michelle Morelli
Donald Morgenroth
James Morrison
Russell Moses
Susan Motisse
Raleigh Nabours
Timothy Nadeau
Charles Nading
Eleno Navat
Edward Neel
Kenneth Nesser
Jay Nicholson
James Norman

Young Norsworthy
John Orff
Florencio Ortiz
Robert Overman
Marvin Paige
Walter Pajaczkowski
Victor Pajak
Anthony Pappacoda
William Parker
Gerald Pasquetti
Albert Patterson
John Pavlik
Harold Pearce
Michael Peck
William Perdue
Hildelisa Perez
Jesus Perez
Earl Perrault
Edward Peterman
James Pettie
Stephen Pfeister
Max Pierce
John Piper
Frederick Pippin
Gerald Polk
John Pontius
Lettie Potts
Gerald Raleigh
Robert Randall
Robert Rankin
Robert Ray
Junior Reed
Lewis Reed
Ronald Reese
Donna Renner
Kathy Rhoades
Donald Ringle
Charles Robbins
ThomasRobertson
William Robinson
William Rochelle
Jesus Rodriguez
Gian Romano
Dudley Row
Judy Rowe
James Rutherford
Theresa Ryan
Charles Salazar
John Samson
Henry Samuel
Dean Sargous

Henry Sawicki
Ferrell Schexnayder
George Schlosser
Ronald Schoenfeldt
Doug Schukar
Harlan Schultz
Russell Scira
Claude Scott
Edward Seese
Robert Shahan
Robert Sharp
Cornelia Shaw
Elic Shewmake
Noy Shockley
Kaye Shorrow
Sharon Sickles
Jack Simpkins
Betty Simpson
Clifton Sizemore
Danny Smith
Fredrick Smith
Rodney Snack
Daniel Solaris
Innis Spindle
Merlin Standeven
Jon Stansberry
Noel Stemper
Kenneth Stultz
June Sulecki
Gerald Sumner
Larry Susek
Charles Swanson
Elvira Sweeney
Paul Sweet
Melvin Switzer
Domingo Tello
Richard Terry
David Thompson
Robert Thompson
Robert Thornley
Glen Tieman
Clifford Toles
Miguel Torres
Terry Tracy
Wilfredo Trinidad
Terrell Vanderwarf
Theresa Varnell
Gregg Wallace
Gary Warren
James Weber
Earl Weir

Larry West
Jon Westmoe
Ronald Weygandt
James Wheat
Alex White
Jimmy Whitener
Horst Wichmann
Arlyn Wieland
Arlan Wiersema
Johnny Wilkes
Richard Willenpart
Harry Williams
Tracy Winberg
Albert Winkleman
Milburn Woodlon
Grady Woodruff
Keith Young
Gloria Zamarripa
Michael Zavaro
John Zazulak
Antonio Arispe
Gerardo Conte
Keith Crocker
Richard Dooley
Joan Groleau
Julio Guevara
Joe Guzman
Donna Houser
Roger Huff
Willard Landers
Raymond Mauney
Mary Mazacek
Alan Moore
Eleanor Ray
Alvin Reynolds
Delores Skinner
Darryl Stitch
Bobby Strouth
Melvin Thomas
Marvin Lerman
Fred Lewis
Donald Long
David Marley
Patricia Mincey
Alejandro Rodriguez
Joann Russell
Brenda Youngblood
Michael Akzin
Edward Arambula
Henry Brown
Ralph Close

Billy Colvard
Raymond Conover
Paul Cully
Nelida Dockstader
Charles Grant
Jesse Gray
William Hill
Romalue Howard
William Huntley
Elizabeth Husted
Brian Johnston
Donna Kaiser
Betty Kuter
William Lawson
Roy Lebo
Marie Linder
Miguel Llanes
Charles Loeffelholz
Dale Looman
Russell Mack
Arturo Martinez
John Mastrangel
Helen Mckewen
Janet Michaels
Sandra Mulcahey
Lurlaina Neet
Norbert Nooyen
Marshall Padgett
Robert Papajcik
Richard Pfahler
Karen Powell
Charemon Salmons
Olga Santos
Theresa Scott
Robert Shearhart
Stanley Sheppard
Michael Trotter
Evelyn Varbel
Clifford Walk
Thomas Weaver
Thomas Welton
Donald Whitaker
Lockard White
Michael Will
Gerald Wirtz
Jordan Wright
Dorothy Wunder
Mitchell Altom
David Bennion
Edward Black
Darlene Figura

Rodney Hargrave
Judith Harlan
Ralph Horvath
Patria Sosa
John Abernathy
Virginia Calder
Michael Carroll
George Condon
Robert Derrah
Wayne Dickinson
George Diterlizzi
Brendon Fay
Richard Fontaine
John Griffin
Maureen Haley
Ira Kaplan
Wilfred Levesque
John Martin
Stephen Mccullough
Charles Melanson
Pasquale Mucci
Eugene Ouellet
Eileen Perry
Robert Pitman
Jean Quirion
Martha Settles
Catherine Storti
Jacquelyn Tierney
Edwin Urbankiewicz
Ellis Vaitis
Olivio Vincini